

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:)
)
CORONADO CAPITAL) Case No. 21-30264-HCM
INVESTMENTS, INC.,) Chapter 11
)
Debtor.)

**FIRST AND FINAL APPLICATION FOR ALLOWANCE AND PAYMENT OF
FEES & EXPENSES OF MIRANDA & MALDONADO, P.C.
AS COUNSEL FOR THE ESTATE PURSUANT TO 11 U.S.C. §330(a)**

**THIS PLEADING REQUESTS RELIEF WHICH MAY BE ADVERSE TO
YOUR INTEREST.**

**IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS
FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN
MAY BE GRANTED WITHOUT A HEARING BEING HELD.**

A TIMELY RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.

TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY
JUDGE:

Now comes Coronado Capital Investments, Inc. (the "Debtor" or "CCI"), as Debtor-in-Possession in this Chapter 11 proceeding and on behalf of Miranda & Maldonado, P.C. ("Applicant"), and submits this First & Final Application for Allowance and Payment of Fees & Expenses of Miranda & Maldonado, P.C. as Counsel for the Estate Pursuant to 11 U.S.C. §330(a) (the "Application"). CCI would show the Court as follows:

I. Basis for Application

1. This Application is submitted to this Court under 11 U.S.C. §330 for the period of April 5, 2021 through December 16, 2021 and is the First & Final Fee Application for allowance of fees and expenses by Miranda & Maldonado, P.C., in this Case as Counsel

for the Estate. Applicant has not applied for allowance of compensation in the preceding 120 days or any time prior to that.

TO WHOM SERVICES HAVE BEEN RENDERED TO

2. All fees and expenses incurred and for which compensation is sought have been rendered on behalf of the Debtor.

NO DIVISION OF FEES

3. Applicant has not entered into any agreement with any person and no understanding exists for division of fees between Applicant and any other attorney, nor has Applicant entered into any agreement with any third-party for the purpose of fixing the amount of compensation to be paid from the Estate.

APPLICATION FILED IN LESS THAN 120-DAYS

4. No request to shorten time has been sought nor is one necessary.

SUMMARY OF THE CASE

5. CCI filed a Voluntary Petition for Relief under Chapter 11 of Title 11 of the United States Bankruptcy Code on April 5, 2021 (the "Petition Date").

6. Since the Petition Date, CCI has carried on its business under the supervision of the Court and the Office of the United States Trustee (the "UST"). Pursuant to Chapter 11 of the Code, CCI retained possession of its assets and managed its affairs as a Debtor-in-Possession ("DIP").

7. On June 1, 2021, this Court entered an Order Regarding CCI's Application to Employ Counsel, Miranda & Maldonado, P.C. (21 Day Objection Language) filed by (Doc. No. 16).

8. As reflected in the attached detailed billing records, the Applicant has aided CCI in the prosecution of its bankruptcy proceeding.

9. CCI has reviewed this Application and the attached Billing Statements and Doug Rutter, its principal, has stated to the Applicant that CCI has no objection to the legal services provided, the results obtained, and the amount requested as final compensation.

DETAIL OF SERVICES PROVIDED

10. Billing Statements by category are attached hereto as **Exhibit "A"** detailing the nature of the services rendered by Miranda & Maldonado, P.C., by whom the services were rendered, and reflecting the time increments expended in performance of the services, as well as dollar amounts charged (the "Statements").

11. The Statements and this Application comply with the requirements of Bankruptcy Rule 2016. The total amount of professional fees shown on the Statements is **\$20,055** for the time period spanning **April 5, 2021** through **December 16, 2021**. The total amount of expenses incurred during this time period was **\$99.36**.

12. The following is a Summary of the Fees and Expenses incurred by the Applicant as Counsel for the Estate:

SUMMARY OF HOURS & FEES	
PROFESSIONAL PERSON	FEES
Carlos A. Miranda, Esq.	\$18,030 (\$300 x 60.10)
Juan Aguirre (Legal Assistant)	\$2,025 (\$125 x \$16.10)

13. In applying the factors set forth in the Bankruptcy Reform Act of 1994 amending §330(a) of the Bankruptcy Code, to be considered by the Court in awarding professional compensation, Applicant would show this Court that the fees and expenses incurred are fair and reasonable based on the circumstances of the case.

(A) Nature, Extent and Value of Services: The nature, extent and value of the services rendered by Miranda & Maldonado, P.C., as Counsel

for the Estate is fully detailed on the compensation support exhibit attached as **Exhibit "A"**.

(B) Time Spent on Services: The time spent by Carlos A. Miranda, Carlos G. Maldonado, Juan Aguirre in rendering services for the Estate is set forth in the compensation support exhibit attached as **Exhibit "A"**. Miranda & Maldonado, P.C. maintains contemporaneous time records reflecting the services, with a minimum billing increment of .10 hours. The Fees sought by the Applicant are fixed fees based on time spent rendering services and are not computed on a contingent fee basis.

(C) Rates Charged For Services: The hourly rates charged for the services performed by Carlos A. Miranda is \$300, and for Legal Assistants \$125. These hourly rates are the normal rates charged by such professionals for cases of this nature in this community.

(D) Necessity of Services: The services rendered by Miranda & Maldonado, P.C. during the time covered by this Application were necessary to the proper administration of the case and were beneficial at the time they were rendered. Services included the filing of the necessary pleadings and if necessary, attendance by video at any hearing on the same; telephonic and in-person conferences with Debtor, with opposing counsel for secured creditors as well as Counsel for the Lessor, the United States Trustee, directly with unsecured creditors not represented by counsel, examination of relevant records, and advising 4YL on reorganization options as well as different reorganization strategies. Miranda & Maldonado, P.C. has not billed for any unnecessary duplicate services, or services which were not reasonably likely to benefit the Estate.

(E) Reasonableness of Time Spent: The services performed by the Applicant are within a reasonable amount of time commensurate with the complexity, importance, and nature of the problems, issues and tasks presented by the case.

(F) Reasonable and Customary Compensation: The compensation sought by Miranda & Maldonado, P.C. is reasonable and customary compensation charged by comparably skilled practitioners in non-bankruptcy cases. As a result of the acceptance of this case, the Applicant was taken away from other legal matters upon which it would have been paid comparable rates. A reasonable and customary fee is requested by the Applicant at hourly rates equal to that normally billed by Counsel to his non-bankruptcy clients during the same period. Counsel would submit that the Fees requested in this case are like those allowed on an hourly basis in other similar

cases. The complex matters involved in this case would make it undesirable for other attorneys, due to the complexity and uncertainty of the case, the risk of not getting paid, and the time commitment required to thoroughly prepare for these matters.

- (G) **Experience, Reputation and Ability of Attorney:** Applicant is a law firm located in El Paso, Texas specializing in bankruptcy law. Applicant represents debtors as well as secured and unsecured creditors in Chapter 7, 11, and 13 proceedings. Applicant has been actively involved in the field of bankruptcy for 30 years, has experience in bankruptcy matters, and has devoted substantial time to these proceedings. The Applicant's Firm has been involved in Chapter 7, 11 and 13 cases in the United States Bankruptcy Court for the Districts of Texas, New Mexico, Arizona, and Oklahoma. Carlos A. Miranda is certified in Business and Consumer Bankruptcy Law by the Texas Board of Legal Specialization. He is admitted to practice in the State of Texas (Bar No. 14199582), and the United States District Courts for the Western, Eastern, Northern, and Southern Districts Texas and Oklahoma. Mr. Miranda is also admitted to practice before the U.S. Tax Court. Mr. Miranda is a graduate of Trinity University (B.A., 1988) and of Texas Tech University School of Law (J.D., 1991). Carlos G. Maldonado is admitted to practice in the State of Texas (Bar No. 24098905), the State of Oklahoma (Bar No. 30155), and the District of Columbia (Bar No. 1000051), as well as the United States District Court for the Western, Eastern, and Northern Districts of Texas, and the District Court of Oklahoma. He is a graduate of the University of Texas at El Paso (B.A., 2007) and Oklahoma City University School of Law (J.D., 2010).
- (H) **Undesirability of the Case:** The complex matters involved in this case would make it undesirable for other attorneys, due to the complexity and uncertainty of the case, the risk of not getting paid, the out-of-town location of the Client, and the time commitment required to thoroughly prepare for these matters.
- (I) **Nature and Length of Professional Relationship with the Client:** Applicant was retained solely for the purposes of filing and prosecuting the Chapter 11 case after failing to reach prepetition arrangements with its Secured Lenders.
- (J) **Awards and Similar Cases:** Applicant submits that the fees requested in this case are reasonable and customary and are similar or less than those allowed in other similar cases.

14. The Court is requested to authorize and award compensation for professional services rendered by Miranda & Maldonado, P.C. in the total amount of **\$20,055** for the period covered by this Application.

15. The Court is requested to authorize, and award reimbursement of expenses incurred by Miranda & Maldonado, P.C. in the total amount of **\$99.36** for the period covered by this Application.

16. A prepetition Retainer was received in the amount of **\$2,500** and Filing Fee prepayment of **\$1,717**.

17. As of the filing of this Application, the balance of the Retainer is **\$2,500** as a future credit against the amount of Fees and Expenses ultimately approved by this Court.

18. A post-petition payment in the amount of **\$2,500** was received from a non-Debtor as a future credit towards the Fees and Expenses ultimately approved by this Court.

WHEREFORE, MIRANDA & MALDONADO, P.C., requests that upon the expiration of time by which to object to this Application, or the conclusion of the hearing on the merits on this Application, this Court enters an Order which provides for the following:

a. That the Court grant and award compensation for attorney's fees for the period covered by this Application in the amount of **\$20,055**;

b. That the Court approve the reimbursement of expenses for the period covered by this Application in the amount of **\$99.36**;

c. That the Court approve applying the prepetition Retainer balance in the amount of **\$2,500** to the approved Fees;

d. That the Court approve applying the **\$2,500** payment to the approved Fees;
and

e. Together with such further relief deemed fair and equitable by this Court.

Respectfully submitted,

MIRANDA & MALDONADO, P.C.
5915 Silver Springs, Bldg. 7.
El Paso, Texas 79912
(915) 5875000 (Telephone)
(915) 5875001 (Facsimile)

/s/ Carlos A. Miranda, Esq.
Carlos A. Miranda, Esq.
State Bar No. 14199582
Carlos Gustavo Maldonado, Esq.
State Bar No. 24098905

Attorneys for the Debtor

CERTIFICATE OF SERVICE

I, Carlos A. Miranda, do hereby certify that on January 3, 2021, a true and correct copy of the foregoing First & Final Application for Allowance and Payment of Fees & Expenses of Miranda & Maldonado, P.C., as Counsel for the Debtor Pursuant to 11 U.S.C. §330 was served by electronic mail or first-class mail to the parties listed in the attached *Matrix*.

/s/ Carlos A. Miranda, Esq.
Carlos A. Miranda, Esq.
Attorneys for the Debtor

Label Matrix for local noticing

Coronado Capital Investment, Inc.

U.S. BANKRUPTCY COURT

0542-3

c/o Carlos Miranda, Esq.

511 E. San Antonio Ave., Rm. 444

Case 21-30264-hcm

5915 Silver Springs

EL PASO, TX 79901-2417

Western District of Texas

Building 7

El Paso

El Paso, TX 79912-4126

Tue Dec 14 12:33:16 CST 2021

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SM VER Enterprises, LLC

Steven Bass

Centralized Insolvency Office

c/o Uprising Investments, LLC

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TWC Building - Regulatory Integrity Divi
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c/o Clyde A. Pine, Jr.
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